

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN

TAMMIE KAY LEE,

Plaintiff,

v.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

Hon. Janet T. Neff

Case No. 1:17-cv-00135

REPORT AND RECOMMENDATION

Plaintiff, proceeding *pro se*, filed this matter on February 10, 2017. She was granted leave to proceed *in forma pauperis*. Defendant was served by the United States Marshal Service and the answer and administrative transcript were filed timely. In the Notice Regarding Consent and Filing of Briefs (ECF No. 10), the joint statement regarding consent was due May 22, 2017 and Plaintiff's initial brief was due June 5, 2017. According to Defendant's Notice filed on May 22, 2017, Plaintiff failed to respond to written communication and phone messages regarding her preference for the joint statement. (ECF No. 11). Additionally, Plaintiff failed to file her initial brief. Lastly, correspondence mailed to Plaintiff by the court to her address of record was returned as undeliverable. (ECF No. 14).

As such, the undersigned hereby recommends that this matter be dismissed pursuant to Fed. R. Civ. P. 41(b) and W.D.Mich. L.Civ.R. 41.1 for want of prosecution and failure to comply with the rules and orders of this court. Timely objections to this

Report and Recommendation shall be considered plaintiff's opportunity to show cause why this matter should not be dismissed.

Date: June 9, 2017

/s/ Ellen S. Carmody

ELLEN S. CARMODY

U.S. Magistrate Judge

OBJECTIONS to this Report and Recommendation must be filed with the Clerk of Court within 14 days of the date of service of this notice. 28 U.S.C. § 636(b)(1)(C). Failure to file objections within the specified time waives the right to appeal the District Court's order. *Thomas v. Arn*, 474 U.S. 140, 155 (1985); *United States v. Walters*, 638 F.2d 947, 949-50 (6th Cir. 1981).